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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/127,336      | 07/31/1998  | BRUCE ANTHONY BEADLE | AT9-98-302          | 9993             |

7590 11/07/2002  
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EXAMINER

ZHEN, LI B

ART UNIT PAPER NUMBER

2126

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/127,336

Applicant(s)

BEADLE ET AL.

Examiner

Li B. Zhen

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 22 rejected under 35 U.S.C. 103(a) as being unpatentable over "Java Native Interface Specification," (p. 75 – 82; hereinafter Java) in view of U.S. Patent No. 6,263,377 to Monday and U.S. Patent No. 5,734,483 to Sanders.

As to claim 1, Java teaches an Invocation API that allows software vendors to load the Java Virtual Machine into an arbitrary native application (lines 1 – 3, p. 75), implementing different Java Virtual Machines using different initialization arguments (Initialization Structures, p. 77), the initialization arguments including a classpath that determines the local directory path for class loading (lines 4 – 5, p. 78), setting the class path (lines 15 – 19, p. 75), and initializing the Java Virtual Machine with the initialization arguments (JNI\_CreateJavaVM, p. 80). As to a browser initializing a Java Virtual Machine, Java teaches the Invocation API allows a native application (browser) to use the JNI interface pointer to access VM features (lines 10 – 12, p. 76). An Internet browser would need access to the Java Virtual Machine in order to run Java applications, such as Java applets and Java Beans. Java teaches implementing different Java Virtual Machines for arbitrary native applications, but does not specify

providing an interface in which the interface allows for selection of classes, receiving a selection of classes through the interface, and storing the selection of classes.

However, Monday teaches (column 3, lines 30 – 56) providing through a graphical interface (GUI selection screen) that allows for selection of classes. As to receiving a selection of classes through the interface and storing the selection of classes, Monday teaches searching for the selection class file (application manager checks each server in sequence for the particular selected x.class file block; column 3, lines 50 – 56), which implies receiving a selection of classes through the interface and storing the selection of classes because the selection of classes would need to be received and stored in order for the application manager to know what classes to search for.

It would have been obvious to apply the teaching of providing an interface in which the interface allows for selection of classes, receiving a selection of classes through the interface, and storing the selection of classes as taught by Monday to the invention of Java because this provides an aesthetically pleasing user interface (column 3, lines 23 – 25 of Monday) for users to specify an implementation of a Java Virtual Machine.

Java as modified by Monday does not teach providing the interface through a browser.

However, Sanders teaches (column 2, lines 2 – 10) providing a graphical user interface through a web browser (world-wide web browser) to allow a user to perform administrative tasks.

It would have been obvious to apply the teaching of providing an interface through a browser as taught by Sanders to the invention of Java as modified by Monday because this would allow a novice user, untrained and unaware of the platform architecture to perform administrative tasks (column 2, lines 2 – 10 of Sanders), such as modifying a java virtual machine.

As to claim 8, this is a combination of method claims 1 – 3; note the rejections of claims 1 – 3, which also meet this method claim.

As to claims 12 – 18, these are system claims that correspond to method claims 1 – 7; note the rejections of method claims 1 – 7, which also meet these system claims.

As to claim 19, this is a product claim that corresponds to method claim 8; note the rejection of claim 8 above, which also meets this product claim.

As to claim 20, this is a combination of method claims 1 and 6; note the rejections of claims 1 and 6, which also meet this method claim.

As to claim 2, see the rejection to claim 1 above.

As to claim 3, Java teaches the virtual machine is a Java virtual machine (p. 75).

As to claim 4, Java teaches using the selection of the classes (the local directory path for class loading, lines 4 – 5, p. 78) to initialize the virtual machine (JNI\_CreateJavaVM, p. 80).

As to claim 5, Java teaches storing the selection of classes comprises storing the selection of classes in a user profile (class path is stored in Initialization Structures, p. 77 – 78).

As to claim 6, Java teaches the selection of classes is a class path (the initialization arguments including a classpath that determines the local directory path for class loading; lines 4 – 5, p. 78 of Java).

As to claim 7, Java as modified teaches the selection of classes causes a class path to be appended a system classpath (appending class paths to a system class path; column 3, lines 15 – 20 of Monday).

As to claim 9, this is the same as method claim 7; note the rejection of claim 7 above, which also meet this claim.

As to claims 10 and 11, Java as modified teaches (column 3, lines 15 – 20 of Monday) appending class paths to a system class path, but does not specify appending to the beginning or end of the system class path. The class path can obviously be appended to either the beginning or the end of the system class path.

As to claims 21 and 22, Java teaches the class location is a class path stored in a user profile data structure (the initialization arguments including a classpath that determines the local directory path for class loading; lines 4 – 5, p. 78 of Java).

**Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

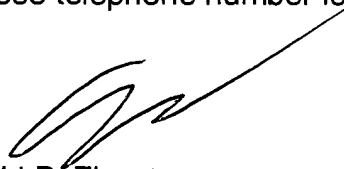
U.S. Patent No. 6,339,829 to Beadle teaches decoupling a Java Virtual Machine from an Internet browser.

"More Sniffing for Browsers, Virtual Machines, and Operating Systems" by Michael Edwards teaches a determining the virtual machine of an internet browser from a Java applet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Li B. ZHEN  
SUPERVISOR  
TECHNOLOGY CENTER 2100  
PATENT EXAMINER

lbz  
October 31, 2002